

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

JAY RABKIN, Individually and on Behalf  
of All Others Similarly Situated,

Case No. 3:17-cv-02086-SI

## CLASS ACTION

Plaintiff,

v.  
LION BIOTECHNOLOGIES, INC.,  
MANISH SINGH, MICHAEL  
HANDELMAN, and KAMILLA BJORLIN

## Defendants.

## **ORDER APPROVING PLAN OF ALLOCATION**

WHEREAS, this matter came on for hearing on April 12, 2019 (the “Settlement Fairness Hearing”) on Lead Plaintiff’s motion to determine whether the proposed plan of allocation of the Net Settlement Fund (“Plan of Allocation”) created by the Settlement achieved in the above-captioned class action (the “Action”) should be approved. The Court having considered all matters submitted to it at the Settlement Fairness Hearing and otherwise; and it appearing that notice of the Settlement Fairness Hearing substantially in the form approved by the Court was mailed to all Settlement Class Members who could be identified with reasonable effort, and that a summary notice of the hearing substantially in the form approved by the Court was published in *Investor’s Business Daily* and

1 transmitted over the *PRNewswire* pursuant to the specifications of the Court; and the Court having  
2 considered and determined the fairness and reasonableness of the proposed Plan of Allocation; and

3 WHEREAS, this Order incorporates by reference the definitions in the Stipulation of  
4 Settlement and Release dated as of September 28, 2018 (ECF No. 121) (the “Stipulation”), and all  
5 capitalized terms not otherwise defined herein shall have the same meanings as set forth in the  
6 Stipulation.

7 NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

8 1. **Jurisdiction**—The Court has jurisdiction to enter this Order and over the subject  
9 matter of the Action, as well as personal jurisdiction over all of the Parties and each of the Settlement  
10 Class Members.

11 2. **Notice**—Pursuant to and in compliance with Rule 23 of the Federal Rules of Civil  
12 Procedure, this Court hereby finds and concludes that due and adequate notice was directed to  
13 Settlement Class Members who could be identified with reasonable effort, advising them of the Plan  
14 of Allocation and of their right to object thereto, and a full and fair opportunity was accorded to  
15 Settlement Class Members to be heard with respect to the Plan of Allocation.

16 3. An aggregate of 21,240 copies of the Notice were mailed to potential Settlement Class  
17 Members and nominees, and there are no objections to the Plan of Allocation.

18 4. **Approval of Plan of Allocation**—The Court hereby finds and concludes that the  
19 formula for the calculation of the claims of Claimants as set forth in the Plan of Allocation mailed to  
20 Settlement Class Members provides a fair and reasonable basis upon which to allocate the proceeds  
21 of the Net Settlement Fund among Settlement Class Members with due consideration having been  
22 given to administrative convenience and necessity.

23 5. The Court hereby finds and concludes that the Plan of Allocation is, in all respects,  
24 fair and reasonable to the Settlement Class. Accordingly, the Court hereby approves the Plan of  
25 Allocation proposed by Lead Plaintiff.

26 6. **No Impact on Judgment**—Any appeal or any challenge affecting this Court’s  
27 approval regarding any plan of allocation of the Net Settlement Fund shall in no way disturb or affect

the finality of the Judgment.

7. **Retention of Jurisdiction**—Exclusive jurisdiction is hereby retained over the Parties and the Settlement Class Members for all matters relating to this Action, including the administration, interpretation, effectuation, or enforcement of the Stipulation and this Order.

8. **Entry of Order**—There is no just reason for delay in the entry of this Order, and immediate entry by the Clerk of the Court is expressly directed.

SO ORDERED this 17<sup>th</sup> day of April, 2019.

Susan Mleton

The Honorable Susan Illston  
United States District Judge